

**STATE OF NEW MEXICO  
WATER QUALITY CONTROL COMMISSION**

**IN THE MATTER OF PROPOSED AMENDMENTS  
TO 20.7.4 NMAC – UTILITY OPERATOR CERTIFICATION**



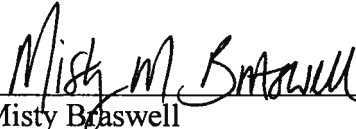
**PETITION FOR HEARING**

The Utility Operators Certification Advisory Board (“Board”) files this Petition to request a hearing for proposed amendments to 20.7.4.15 NMAC, Utility Operator Certification Regulations. The New Mexico Utility Operators Certification Act charged the Water Quality Control Commission (“Commission”) with adopting “rules providing criteria for identifying the minimum number of certified operators needed to operate the various classifications of public water supply systems or public wastewater facilities in order to protect human health, public welfare or the environment.” NMSA 1978, § 61-33-4.E. That duty was delegated by the Commission to the Utility Operators Certification Advisory Board. Subparagraph (c) of Paragraph (1) of Subsection G of 20.7.4.29 NMAC.

The proposed amendments to 20.7.4 NMAC would add a new section, 20.7.4.15, and are necessary to conform to the requirements in the Utility Operators Certification Act and the Utility Operator Certification Regulations for providing criteria for identifying the minimum number of certified operators of public water supply systems or public wastewater facilities. The proposed amendments are attached as Attachment A. The Board requests that a hearing be held in conjunction with the Commission’s meeting on March 11, 2008. It is anticipated that the hearing for this Petition will take four hours.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this petition and attached regulations were sent by e-mail or first class mail on November 26, 2007 to the list of interested persons gathered by the Utility Operators Certification-Advisory Board.



Mike Coffman,  
Surface Water Quality Bureau

# ATTACHMENT A

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#### 20.7.4.15 Minimum Number of Certified Operators

A. The following tables indicate the minimum number of certified operators required to operate a public wastewater facility or public water supply system. Certified operators may be responsible for operation of multiple treatment processes within a public wastewater facility or public water supply system.

##### (1) Public wastewater facilities:

Type of Treatment Process	Design Capacity					
	<0.4 MGD	>0.4 – 1.2< MGD	>1.2 – 2.4< MGD	>2.4 – 4.8< MGD	>4.8 – 9.6< MGD	>9.6* MGD
Raw wastewater lagoons	1	1	1	1	1	2
Aerated lagoons	1	1	1	1	2	3
Primary treatment	1	1	1	1	2	3
Primary treatment and oxidation ponds	1	1	1	1	2	3
Secondary treatment, trickling filter	1	1	1	2	2	4
Secondary treatment, aeration	1	1	1	2	2	4
Physical-chemical treatment processes	1	1	1	2	2	4
Advanced waste treatment process	1	1	1	2	2	4
Phosphorous and nitrogen removal	1	1	1	2	2	4
Chlorine Gas Disinfection	2	2	2	3	3	4

Type of Collection System	Design Capacity					
	<0.4 MGD	>0.4 – 1.2< MGD	>1.2 – 2.4< MGD	>2.4 – 4.8< MGD	>4.8 – 9.6< MGD	>9.6* MGD
Gravity Flow	1	1	1	2	2	2
Vacuum System	1	1	1	2	2	2

##### (2) Public water supply systems:

Type of Treatment Process	Design Capacity					
	<2.3 MGD	>2.3 – 4.5< MGD	>4.5 – 9.0< MGD	>9.0 – 18.0< MGD	>18.0 – 32.0< MGD	>32.0* MGD
Filtration (sand, gravity)	1	1	2	2	3	5
Coagulation, sedimentation, filtration	1	1	2	2	3	5
Chemical precipitation (Mn, Fe, softening)	1	1	2	2	3	5
Aeration	1	1	2	2	4	5

Odor and taste control (activated carbon)	1	1	2	2	4	6
Chemical addition (stabilization)	1	1	2	2	4	6
Pressure filtration	1	1	2	2	4	6
Ion exchange (softening, defluoridation)	1	1	2	2	4	6
Chlorination	1	1	2	2	4	6
Fluoridation	1	1	2	2	4	6
Arsenic removal	1	1	2	2	4	6
Radionuclide removal	2	3	3	3	5	6
Special, such as desalinization	1	1	2	2	4	5
Production, ground water only	1	1	2	2	4	5

Type of Distribution System	Design Capacity					
	<2.3 MGD	>2.3 – 4.5< MGD	>4.5 – 9.0< MGD	>9.0 – 18.0< MGD	>18.0 – 32.0< MGD	>32.0* MGD
Distribution of treated surface water	1	1	1	1	2	4
Distribution of chlorinated groundwater	1	1	1	1	2	4
Distribution of unchlorinated groundwater	1	1	1	1	2	4

B. The department may adjust the number of certified operators necessary to ensure a public wastewater facility or public water supply system complies with this part and the act.

C. A public wastewater facility or public water supply system may petition the department to adjust the number of certified operators required under paragraph A of this Section.

D. A public wastewater facility or public water supply system may appeal an adjustment by the department or disapproval of a petition by the department to the board. Such an appeal must be filed within thirty (30) days of receipt of the decision by the department. The appeal shall fully explain and justify the relief requested. The board shall respond to the appeal within 15 days. The board shall approve or disapprove the adjustment or disapproval of a petition within thirty (30) days of receipt of the appeal.

\* Any design capacity that exceeds 9.6 MGD for public wastewater facilities and/or 32.0 MGD for public water supply systems, minimum number of operators will be determined by the department.